

IN RE: PETITION FOR ZONING VARIANCE
S/S Adamsview Road, 176' N
of the c/l of Hamerson Road
(1427 Adamsview Road)
1st Election District
1st Councilmanic District
Edgardo F. Gragas, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 1 foot in lieu of the required 7.5 feet minimum and a side yard setback of 11 feet in lieu of the required 17.5 feet minimum, for an open projection (carport) in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 1427 Adamsview Road, consists of .175 acres zoned D.R. 5.5 and is improved with a single family dwelling which has been Petitioners' residence for the past 4 years. Petitioners are desirous of constructing an open carport on the south side of the existing dwelling; however, due to the layout of the dwelling and its location on the lot, the variances requested are necessary to construct the carport. Testimony indicated the adjoining property owners on the affected side do not object to their plans. Testimony further indicated that the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record

that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, it IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of September, 1989 that the Petition for Zoning Variance to permit a side yard setback of 1 foot in lieu of the required 7.5 feet minimum and a side yard setback of 11 feet in lieu of the required 17.5 feet minimum, for an open projection (carport) in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st
Posted for: Variance
Petitioner: Edgardo F. Gragas, et ux
Location of property: S/S Adamsview Road, 176' N of c/l of Hamerson Road, 1427 Adamsview Road
Location of Sign: South side of 1427 Adamsview Road
Remarks: L.J. Gragas
Posted by: L.J. Gragas
Number of Signs: 2
Date of return: September 5, 1989

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: September 8, 1989
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Edgardo Gragas, et ux, Item 564
Zoning Petition No. 90-104-A

The petitioner requests a variance to permit a 1 foot side yard setback and an 11 foot side yard setback sum in lieu of the minimum 7.5 foot and 17.5 foot, respectively, for a carport. In reference to this request, staff has no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

JL/se

7/11/89 re late comments sent

MICROFILMED

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-104-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1102.3.2, 1211.3, R.6, 1361.1 and 301.1 To permit a 1' side yard setback and an 11' side yard setback sum in lieu of the minimum 7.5' and 17.5', respectively for an open projection (carport).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

- 1) Health reasons - I suffer from intermittent bronchitis and upper respiratory infections. Overexposure to extreme temperatures starts a cough/cold syndrome and triggers a bronchitis attack. Working on the car under extreme heat or scraping ice on the windshield under extreme cold temperatures start such cough/cold syndrome. Likewise, too much heat in the summer builds up temperature like an "oven" inside the car and starts a cough/cold syndrome, progressing to bronchitis. (see back for more) Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Attorney's Telephone No.:
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of September, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of September, 1989, at 11:30 a.m.

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500
Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: EDGARDO F. GRAGASIN
Location: S/E S OF ADAMSVIEW ROAD
Item No.: 564
Zoning Agenda: JULY 5, 1989

Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Pat Keller Noted and Approved
Planning Group
Special Inspection Division
Fire Prevention Bureau

JK/kek

MICROFILMED

JUN 29 1989

MICROFILMED

Beginning on the southeast side of Adamsview Road, 60 feet wide, at the distance of 176 feet north of the centerline of Hamerson Road. Being Lot #11, Block V, Section 9 in the subdivision of Westview Park. Also known as 1427 Adamsview Road in the 1st Election District.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE 9-7-89

Mr. & Mrs. Edgardo F. Gragas
1427 Adamsview Road
Baltimore, Maryland 21228

Re: Petition for Zoning Variance
CASE NUMBER: 90-104-A
S/E S Adamsview Road, 176' N of c/l of Hamerson Road
1427 Adamsview Road
1st Election District - 1st Councilmanic
Petitioner(s): Edgardo F. Gragas, et ux
HEARING SCHEDULED: FRIDAY, SEPTEMBER 22, 1989 at 11:30 a.m.

Dear Mr. & Mrs. Gragas:

Please be advised that \$ 92.35 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 074415
DATE 9/22/89 ACCOUNT 2-001-615-000
AMOUNT \$ 92.35
RECEIVED FROM: Edgardo F. Gragas, et ux

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3354

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items 523, 541, 560, 561, 562, 563, 564, 566, 567, 568, 570, 571, and 572.

Very truly yours,
J. Robert Haines

CERTIFICATE OF PUBLICATION

August 29, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONVILLE TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on August 24, 1989.

THE JEFFERSONIAN
CATONVILLE TIMES

S. Zeke Orlean
Publisher

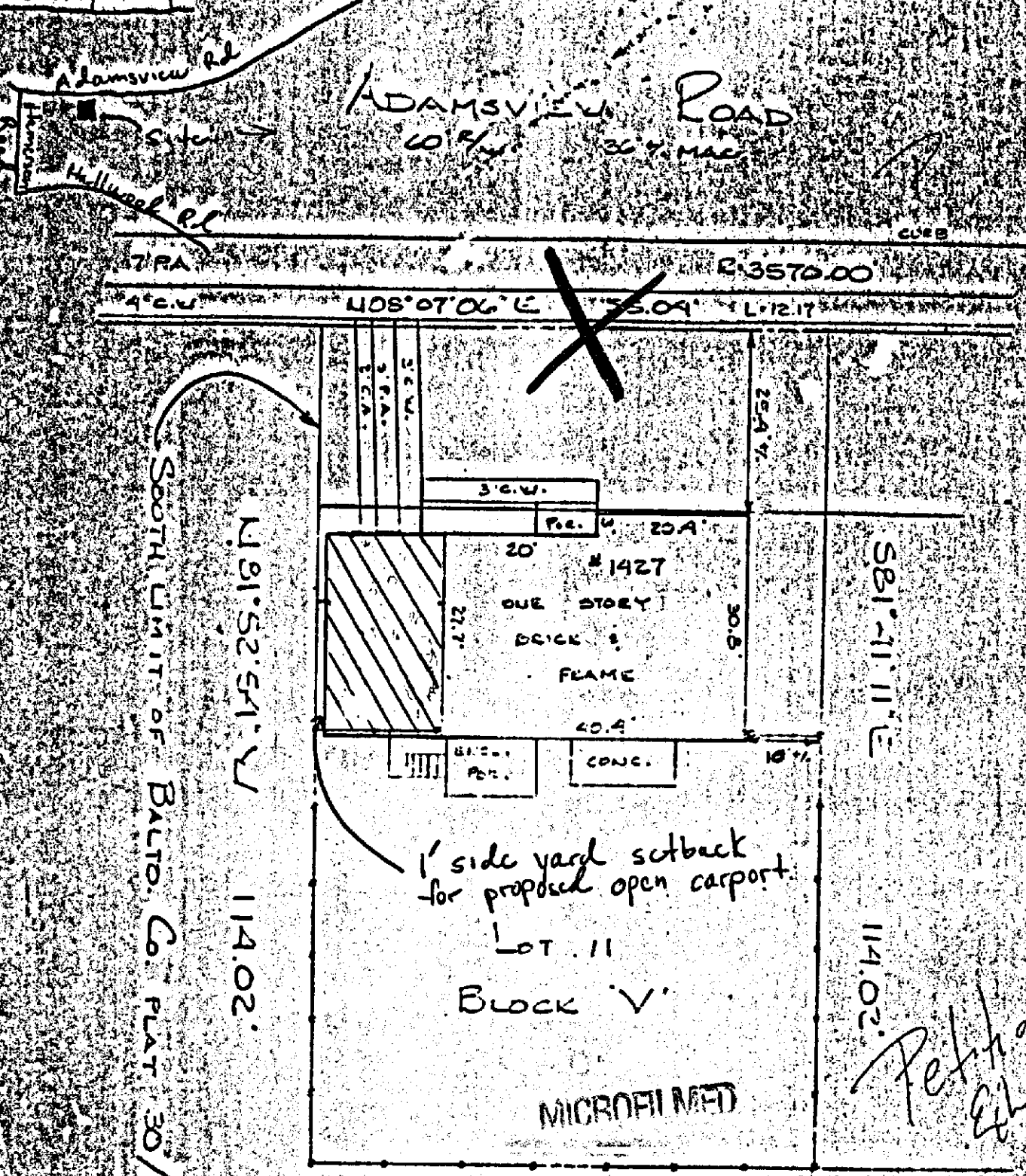
PO 16227
reg 143145
90-104-A

NW 16 2B

564

Subdivided property known as #1427 Adamsview Road, Baltimore County, Maryland. Also known as Lot 11, Block V, as shown on the plat of SECTION 3, WESTVIEW PARK, A RESUBDIVISION OF AND ADDITION TO SECTION 7-B, which plat is recorded among the land records of Baltimore County in plat book R.R.G. 30, folio 126.

Vicinity Map



Zone DR 5.5
Election District 1

This is to certify that I have located the improvements on the lot shown hereon, and that said improvements exist, and that said improvements lie entirely within the boundaries.

J.S.T. ENGINEERING CO., INC.
4903 BELAIR ROAD
BALTIMORE, MARYLAND 21206

SCALE: 1" = 20' DATE: 1/23/1

Owner: Edgardo Gragasin



NOT INTENDED TO BE USED TO ESTABLISH PROPERTY LINES

J. Robert [Signature]